

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	Group Art Unit: 3774
	)	
FOGARTY, Thomas J., et al.	)	
	)	
Serial No.: 10/646,639	)	Examiner: Paul B. Prebilic
	)	
Filed: August 22, 2003	)	
	)	
For: PROSTHESIS FIXTURING DEVICE AND	)	
METHODS OF USING THE SAME	)	

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TERMINAL DISCLAIMER**

Dear Sir/Madam:

Petitioner, Arbor Surgical Technologies, Inc., is the owner of 100 percent interest in the instant application.

Applicants hereby disclaim the terminal part of any patent granted on the above-identified application that would extend beyond the expiration date of U.S. Patent No. 6,939,365, and any patents issuing from applications Serial Nos. 10/327,821, 10/355,429, 10/765,725, and 11/080,009. Moreover, Applicants hereby agree that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,939,365, and any patents issuing from applications Serial Nos. 10/327,821, 10/355,429, 10/765,725, and 11/080,009, this

CERTIFICATE OF TRANSMISSION

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being transmitted to Mail Stop Amendment, Commissioner for Patents, P.O. BOX 1450, Alexandria, VA 22313-1450 on the date shown below via the USPTO EFS-Web filing system.

5/22/2008  
Date of transmission

Patricia J. English  
Patricia J. English

agreement to run with any patent granted on the above-identified application and to be binding upon Applicants, and their successors, or assigns.

Applicants do not disclaim any terminal part of any patent granted on the above-identified application before the expiration date of the full statutory term of U.S. Patent No. 6,939,365, and any patents issuing from applications Serial Nos. 10/327,821, 10/355,429, 10/765,725, and 11/080,009 in the event that they later expire for failure to pay a maintenance fee, are held unenforceable, are found invalid, are statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), have all claims cancelled by a reexamination certificate, or are otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Dated: 5/22/08

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Respectfully submitted,  
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By



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